

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

DAVID DELL'AQUILA, LORANND
BORJA, TODD CHESNEY, and
BRENT WEBER, on behalf of
themselves and all others similarly
situated,

Case No. 3:19-cv-00679

Judge William L. Campbell, Jr.

v.
Plaintiffs,

Magistrate Judge Jeffery Frensley

WAYNE LaPIERRE, the NATIONAL
RIFLE ASSOCIATION OF AMERICA, a
New York not-for-profit corporation, and
the NRA FOUNDATION, INC., a
Washington, D.C. not-for-profit
corporation,

JURY TRIAL DEMANDED

Defendants.

STATUS REPORT

Plaintiffs David Dell'Aquila, Lorannda Borja, Todd Chesney, and Brent Weber, by and through undersigned counsel, submit this status report in advance of the status hearing scheduled for February 22, 2023, before Magistrate Judge Frensley, stating as follows:

1. As part of the Amended Case Management Order entered on September 26, 2022, the Court set a telephonic status hearing for 9:00 a.m. tomorrow, February 22, to discuss “the issue of class certification, status of discovery (including any known or anticipated discovery issues or disputes); prospect for settlement (including propriety of ADR); and any other appropriate matters.” Dkt. 103.

2. To ensure that tomorrow’s hearing is as productive as possible, Plaintiffs now submit this status report, which is accompanied by a draft Third Amended Complaint that they intend to seek the Court’s leave to file in the near future.

3. The proposed Third Amended Complaint adds claims and defendants. If Plaintiffs are granted leave to file this amended complaint, issues relevant to class certification will be impacted, and discovery-related issues could be impacted as well.

4. The draft Third Amended Complaint submitted with this report is not final, but the draft will apprise the Court and Defendant generally of the amendments Plaintiffs will seek leave to make.

Respectfully submitted,

/s/ Julia Rickert

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2023, a true and exact copy of Plaintiffs' Status Report was electronically filed with the Clerk's Office using the CM/ECF filing system and served via the Court's CM/ECF system and/or via email and/or U.S. Mail upon the parties listed below. Parties may also access this filing through the Court's CM/ECF system.

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Respectfully submitted,
s/ Julia Rickett
One of Plaintiffs' Attorneys